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FIFTY-SEVENTH LEGISLATURE

**TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 4, 2004**

Senate Chamber

President Risch called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Burkett, Hill, Lodge, Marley, McWilliams, and Schroeder, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Megan Ball, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Marley and Schroeder were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2004, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Burkett, Lodge, and McWilliams were recorded present at this order of business.

February 4, 2004

The JUDICIARY AND RULES Committee reports that **S 1266**, **S 1267**, and **S 1268** have been correctly printed.

DARRINGTON, Chairman

S 1266, **S 1267**, and **S 1268** were referred to the State Affairs Committee.

February 3, 2004

The JUDICIARY AND RULES Committee reports that **S 1213**, **S 1216**, **S 1217**, and **S 1218** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1213**, **S 1216**, **S 1217**, and **S 1218** and ordered them transmitted to the House for the signature of the Speaker.

February 3, 2004

The FINANCE Committee reports out **H 565** and **H 566** with the recommendation that they do pass.

CAMERON, Chairman

H 565 and **H 566** were filed for second reading.

February 3, 2004

The LOCAL GOVERNMENT AND TAXATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Lyle R. Cobbs to the State Board of Tax Appeals, term to expire June 30, 2006.

BUNDERSON, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 3, 2004

Jeannine Wood
Secretary of the Senate
Statehouse Mail

Re: Minority Report

Dear Madam Secretary:

Enclosed is a minority report of the minority members of the Senate Judiciary and Rules Committee on the confirmation of William A. Parsons to the Judicial Council. This report is submitted to be read across the desk and spread upon the pages of the Journal of the Senate pursuant to Senate Rule 21(B).

Sincerely,
/s/ Senator Mike Burkett
Assistant Minority Leader

**SENATE JUDICIARY AND RULES COMMITTEE
MINORITY REPORT
DISSENTING TO THE CONCLUSIONS OF THE
COMMITTEE
ON THE NOMINATION OF WILLIAM A. PARSONS
TO THE IDAHO JUDICIAL COUNCIL**

We, the undersigned Senators, dissent from the report of the Senate Judiciary and Rules Committee regarding the appointment of William A. Parsons as a member of the Idaho Judicial Council.

We opposed sending the appointment of Mr. Parsons to the Judicial Council to the Senate **WITH A CONFIRM RECOMMENDATION** and instead to send the appointment of Mr. Parsons to the full Senate **WITH A DO NOT CONFIRM RECOMMENDATION** for the following reasons:

The appointment of Mr. Parsons violates Idaho Law, Idaho Code 1-2101. The Judicial Council of the State of Idaho was created pursuant to Idaho Code 1-2101. The statute provides for three permanent members appointed by the board of commissioners of the Idaho State Bar **with the consent of the Senate**, and three members appointed by the Governor **with the consent of the Senate**. The statute further requires: "Appointments shall be made with due consideration for area representation and **not more than three (3) of the permanent appointed members shall be from one (1) political party.**" (Emphasis added.)

The requirement that no more than three members be from one political party applies to all "permanent appointed members." The statute clearly applies to the members appointed by the board of commissioners of the Idaho State Bar, (two attorneys and one judge) and to the members appointed by the Governor (three individuals drawn from the citizenry at large).

The purpose of the statute creating the Judicial Council was to maintain the independence of Idaho's judiciary and to protect Idaho's judicial branch of government from undue political influence and partisan activity. In that light, the legislature created an evenly balanced Judicial Council with three members from the majority party and three members from any other recognized minority party. The partisan balance is a crucial element of ensuring the independence of the Judicial Council and the Judicial Branch and ensuring the Judicial Council does not become an arm of any single political party.

It is instructive that the legislature in creating the Judicial Council called for an equal balance with 50% of the appointed members from one party, a departure from the common practice of boards and commissions having a simple majority from the majority party. The neutrality and evenhandedness of the judicial branch of government is a principle that the Senate should take every effort to maintain. The criteria for the Judicial Council is stricter because the principle being protected is more important, i.e., protecting the independence of the Judiciary, a constitutionally created third branch of government.

The Judicial Council currently has four Republican party members including Mr. Parsons. Helen McKinney, J. Philip Reberger, and William A. Parsons have stated their Republican

credentials as part of their appointment process and are carried on the records of the Judicial Council as Republican members. The record of the committee's earlier proceedings confirms that Judge Randy Smith has served as state Republican Party Chair as well as a Bannock County Republican Chair prior to his appointment to the Judiciary. With four Republican appointees on the Judicial Council, Mr. Parson's continued service on the Council violates I.C. 1-2101 and he should not be confirmed.

The minority vote to deny the confirmation of the Senate of Mr. Parson's appointment to the Judicial Council is based on our assertion that his appointment is in violation of state law. We would be remiss in not bringing this issue to the attention of the Senate since any decisions by the illegally constituted Judicial Council could be called into question. For these reasons, the minority members of the Judiciary and Rules Committee oppose the Senate's confirmation of the appointment of William A. Parsons to the Idaho Judicial Council.

Dated this 4th day of February, 2004.

/s/: Senator Mike Burkett
Assistant Minority Leader
/s/: Senator Bert Marley

The Minority report was ordered filed in the office of the Secretary of the Senate and was ordered spread upon the pages of the Journal pursuant to Senate Rule 21(B).

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 3, 2004

Mr. President:

I transmit herewith Enrolled **H 503** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 503** and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced the Resources and Environment Committee report relative to the Gubernatorial appointments of Ford Elsaesser, Brent Baker, and Linda Mitchell was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Stennett, the Gubernatorial appointment of Ford Elsaesser as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

On motion by Senator Keough, seconded by Senator Stennett, the Gubernatorial appointment of Brent Baker as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

On motion by Senator Keough, seconded by Senator Stennett, the Gubernatorial appointment of Linda Mitchell as a member of the Lake Pend Oreille Basin Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare letters of the Gubernatorial appointment confirmations for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1269

**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE**

AN ACT

RELATING TO INTRACITY LIGHT RAIL SYSTEMS; AMENDING SECTION 40-310, IDAHO CODE, TO AUTHORIZE THE IDAHO TRANSPORTATION BOARD TO ALLOW THE INSTALLATION OF INTRACITY LIGHT RAIL SYSTEMS UPON CERTAIN STATE HIGHWAYS; AMENDING SECTION 40-1415, IDAHO CODE, TO PROVIDE ADDITIONAL AUTHORITY TO THE BOARD OF A SINGLE COUNTYWIDE HIGHWAY DISTRICT FOR CERTAIN RESPONSIBILITIES RELATED TO INTRACITY LIGHT RAIL SYSTEMS WITHIN THE LIMITS OF A CITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-2109, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS TO A REGIONAL PUBLIC TRANSPORTATION AUTHORITY FOR CERTAIN RESPONSIBILITIES RELATED TO INTRACITY LIGHT RAIL SYSTEMS AND TO CLARIFY THE AUTHORITY OF A MUNICIPALITY, HIGHWAY DISTRICT, URBAN RENEWAL AGENCY AND LOCAL IMPROVEMENT DISTRICT WITH RESPECT TO SUCH SYSTEMS; AMENDING SECTION 50-322, IDAHO CODE, TO PROVIDE THAT THE AUTHORITY OF A CITY FOR PROCURING TRANSIT SYSTEMS INCLUDES AUTHORITY FOR INTRACITY LIGHT RAIL SYSTEMS; AMENDING SECTION 50-1703, IDAHO CODE, TO PROVIDE THAT THE GOVERNING BODY OF ANY MUNICIPALITY SHALL HAVE POWER TO EFFECT IMPROVEMENTS RELATING TO INTRACITY LIGHT RAIL SYSTEMS; AMENDING SECTION 50-2018, IDAHO CODE, TO EXPAND THE DEFINITION OF "URBAN RENEWAL PROJECT" TO PROVIDE THAT UNDERTAKINGS AND ACTIVITIES OF A MUNICIPALITY MAY INCLUDE CERTAIN RESPONSIBILITIES FOR INTRACITY LIGHT RAIL SYSTEMS AND AUTHORITY TO PAY ANY APPLICABLE LOCAL IMPROVEMENT DISTRICT ASSESSMENT; AND AMENDING SECTION 50-2903, IDAHO CODE, TO EXPAND THE DEFINITION OF "PROJECT" OR "URBAN RENEWAL PROJECT" OR "COMPETITIVELY DISADVANTAGED BORDER AREAS" TO PROVIDE THAT UNDERTAKINGS AND ACTIVITIES OF A MUNICIPALITY IN AN URBAN RENEWAL AREA MAY INCLUDE CERTAIN RESPONSIBILITIES FOR INTRACITY LIGHT RAIL SYSTEMS AND AUTHORITY TO PAY ANY APPLICABLE LOCAL IMPROVEMENT DISTRICT ASSESSMENT.

S 1270

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE PUBLIC SCHOOL FOUNDATION PROGRAM; AMENDING SECTION 33-1004A, IDAHO CODE, TO ELIMINATE THE CAP IMPOSED UPON THE EXPERIENCE AND EDUCATION MULTIPLIER FACTORS.

S 1271

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO HIGHWAYS; AMENDING SECTION 40-1910, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE PROHIBITION ON ADVERTISING IN A HIGHWAY RIGHT-OF-WAY FOR CERTAIN POLITICAL ADS, TO DEFINE "POLITICAL AD" AND TO MAKE TECHNICAL CHANGES; AND AMENDING SECTION 40-1911, IDAHO CODE, TO PROVIDE THAT CERTAIN POLITICAL ADS MAY BE ERECTED NEAR A RIGHT-OF-WAY, TO PROVIDE THAT THE EXCEPTION DOES NOT APPLY TO INTERSTATE HIGHWAYS AND TO MAKE TECHNICAL CHANGES.

S 1272

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO RAILROAD CROSSINGS ON HIGHWAYS; REPEALING SECTION 62-307, IDAHO CODE, RELATING TO PERMISSION FOR NEW CROSSING OF HIGHWAYS AND RAILROADS.

S 1273

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE LAW AND NEIGHBORHOOD ELECTRIC VEHICLES; AMENDING SECTION 49-105, IDAHO CODE, TO EXPAND THE DEFINITION OF "DEALER" TO INCLUDE BUYING, SELLING OR EXCHANGING NEW OR USED NEIGHBORHOOD ELECTRIC VEHICLES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-115, IDAHO CODE, TO DEFINE "NEIGHBORHOOD ELECTRIC VEHICLE" BY REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-123, IDAHO CODE, TO DEFINE NEIGHBORHOOD ELECTRIC VEHICLES; AMENDING SECTION 49-208, IDAHO CODE, TO AUTHORIZE LOCAL HIGHWAY JURISDICTIONS TO REGULATE OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES ON HIGHWAYS WITHIN THEIR JURISDICTION, TO PROVIDE AN EXCEPTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE FOR REGISTRATION OF NEIGHBORHOOD ELECTRIC VEHICLES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-663, IDAHO CODE, TO PROVIDE FOR RESTRICTED USE OF NEIGHBORHOOD ELECTRIC VEHICLES ON STATE HIGHWAYS.

S 1274

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DRIVER'S LICENSES; AMENDING SECTION 18-8002A, IDAHO CODE, TO PROVIDE THAT PEACE OFFICERS SHALL FORWARD TO THE IDAHO TRANSPORTATION DEPARTMENT ALL TEST RESULTS OF ALCOHOL CONCENTRATION ADMINISTERED BY

THE OFFICER WITHIN FIVE BUSINESS DAYS FOLLOWING NOTICE OF SUSPENSION SERVED ON A DRIVER BY THE PEACE OFFICER; AMENDING SECTION 18-8306, IDAHO CODE, TO REQUIRE SHERIFFS TO PROVIDE WRITTEN NOTIFICATION OF SEX OFFENDER REGISTRATION REQUIREMENTS TO SEX OFFENDERS WHO APPLY FOR AN IDENTIFICATION CARD ISSUED BY THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 49-301, IDAHO CODE, TO REQUIRE THAT MOTOR VEHICLE OPERATORS POSSESS A CURRENT AND VALID IDAHO DRIVER'S LICENSE; AMENDING SECTION 49-319, IDAHO CODE, TO AUTHORIZE LICENSED PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE PROFESSIONAL NURSES TO VERIFY A DRIVER'S PERMANENT DISABILITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-324, IDAHO CODE, TO AUTHORIZE THE IDAHO TRANSPORTATION DEPARTMENT TO ACT UPON NOTICES OF DRIVING OFFENSES SUBMITTED BY JURISDICTIONS OTHER THAN STATES; AND AMENDING SECTION 49-326, IDAHO CODE, TO AUTHORIZE THE IDAHO TRANSPORTATION DEPARTMENT TO ACT UPON NOTICES OF DRIVING OFFENSES SUBMITTED BY JURISDICTIONS OTHER THAN STATES AND TO CLARIFY TERMINOLOGY AND PROCEDURAL DUTIES OF THE DEPARTMENT WITH REGARD TO DRIVERS UNDER SEVENTEEN YEARS OF AGE CONVICTED FOR THE FIRST TIME OF A MOVING TRAFFIC VIOLATION.

S 1275

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DRIVER'S LICENSES, INSTRUCTION PERMITS AND HAZARDOUS MATERIAL ENDORSEMENT; AMENDING SECTION 49-305, IDAHO CODE, TO PROHIBIT ISSUANCE OF A HAZARDOUS MATERIAL ENDORSEMENT ON ANY INSTRUCTION PERMIT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-315, IDAHO CODE, TO REQUIRE APPLICANTS FOR A HAZARDOUS MATERIAL ENDORSEMENT TO HAVE A SECURITY BACKGROUND RECORDS CHECK AND TO RECEIVE CLEARANCE FROM THE FEDERAL TRANSPORTATION SECURITY ADMINISTRATION BEFORE THE ENDORSEMENT CAN BE ISSUED, RENEWED OR TRANSFERRED, SUBJECT TO PROCEDURES ESTABLISHED BY THE ADMINISTRATION; AMENDING SECTION 49-319, IDAHO CODE, TO REQUIRE APPLICANTS FOR A HAZARDOUS MATERIAL ENDORSEMENT TO PROVIDE EITHER PROOF OF UNITED STATES CITIZENSHIP OR PROOF OF LAWFUL, PERMANENT UNITED STATES RESIDENCE AND A VALID BUREAU OF CITIZENSHIP AND IMMIGRATION SERVICES ALIEN REGISTRATION NUMBER, AND TO REQUIRE APPLICANTS TO HAVE A SECURITY BACKGROUND RECORDS CHECK AND TO RECEIVE CLEARANCE FROM THE FEDERAL TRANSPORTATION SECURITY ADMINISTRATION BEFORE THE ENDORSEMENT CAN BE ISSUED, RENEWED OR TRANSFERRED, SUBJECT TO PROCEDURES ESTABLISHED BY THE ADMINISTRATION.

S 1276

BY COMMERCE AND HUMAN RESOURCES

COMMITTEE

AN ACT

RELATING TO THE ENDOWMENT CARE CEMETERY ACT; AMENDING SECTION 27-408, IDAHO CODE, TO INCREASE THE PERMISSIBLE COMPENSATION TO FUND

TRUSTEES TO ONE AND ONE-HALF PERCENT OF THE PRINCIPAL OF THE TRUST FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 27-411, IDAHO CODE, TO PROVIDE THAT ANNUAL REPORTS SHALL BE PREPARED BY A LICENSED INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT OR BY A MEMBER OF THE CANADIAN INSTITUTE OF CHARTERED ACCOUNTANTS, TO MAKE TECHNICAL CORRECTIONS AND TO CORRECT A CODIFIER'S ERROR; AND AMENDING CHAPTER 4, TITLE 27, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 27-413, IDAHO CODE, TO PROVIDE THAT ALL RECORDS OF A CEMETERY AUTHORITY ARE SUBJECT TO EXAMINATION.

S 1277

BY COMMERCE AND HUMAN RESOURCES

COMMITTEE

AN ACT

RELATING TO THE UNIFORM SECURITIES ACT; REPEALING CHAPTER 14, TITLE 30, IDAHO CODE; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 30, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE REFERENCES TO FEDERAL STATUTES AND FEDERAL AGENCIES, TO AUTHORIZE CERTAIN ELECTRONIC RECORDS AND SIGNATURES, TO EXEMPT CERTAIN SECURITIES FROM SPECIFIED REQUIREMENTS, TO EXEMPT CERTAIN TRANSACTIONS FROM SPECIFIED REQUIREMENTS, TO PROVIDE FOR FAIRNESS HEARINGS, TO PROVIDE FOR ADDITIONAL EXEMPTIONS AND WAIVERS BY RULE OR ORDER, TO PROVIDE FOR THE DENIAL, SUSPENSION, REVOCATION, CONDITION OR LIMITATION OF EXEMPTIONS, TO SET FORTH A SECURITIES REGISTRATION REQUIREMENT, TO PROVIDE FOR NOTICE FILING, TO PROVIDE FOR SECURITIES REGISTRATION BY COORDINATION, TO PROVIDE FOR SECURITIES REGISTRATION BY QUALIFICATION, TO PROVIDE FOR SECURITIES REGISTRATION FILINGS, TO PROVIDE FOR THE DENIAL, SUSPENSION AND REVOCATION OF SECURITIES REGISTRATION, TO PROVIDE FOR WAIVER AND MODIFICATION OF REQUIREMENTS, TO SET FORTH A BROKER-DEALER REGISTRATION REQUIREMENT AND EXEMPTIONS TO THE REQUIREMENT, TO SET FORTH AN AGENT REGISTRATION REQUIREMENT AND EXEMPTIONS TO THE REQUIREMENT, TO SET FORTH AN INVESTMENT ADVISER REGISTRATION REQUIREMENT AND EXEMPTIONS TO THE REQUIREMENT, TO SET FORTH AN INVESTMENT ADVISER REPRESENTATIVE REGISTRATION REQUIREMENT AND EXEMPTIONS TO THE REQUIREMENT, TO SET FORTH A FEDERAL COVERED INVESTMENT ADVISER NOTICE FILING REQUIREMENT, TO PROVIDE FOR REGISTRATION FOR BROKER-DEALERS, AGENTS, INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES, TO PROVIDE FOR SUCCESSION AND CHANGE IN REGISTRATION OF BROKER-DEALERS OR INVESTMENT ADVISERS, TO PROVIDE FOR THE TERMINATION OF EMPLOYMENT OR ASSOCIATION OF AGENTS AND INVESTMENT ADVISER REPRESENTATIVES AND TRANSFERS OF SUCH EMPLOYMENT OR ASSOCIATION, TO PROVIDE FOR THE WITHDRAWAL OF REGISTRATION OF BROKER-DEALERS, AGENTS, INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES, TO SET FORTH FILING FEES, TO SET FORTH POSTREGISTRATION REQUIREMENTS, TO

PROVIDE FOR THE DENIAL, REVOCATION, SUSPENSION, WITHDRAWAL, RESTRICTION, CONDITION OR LIMITATION OF REGISTRATION, TO DEFINE GENERAL FRAUD, TO SET FORTH CONDUCT PROHIBITED IN PROVIDING INVESTMENT ADVICE, TO PROVIDE FOR AN EVIDENTIARY BURDEN IN CIVIL AND CRIMINAL CASES, TO PROVIDE FOR THE FILING OF SALES AND ADVERTISING LITERATURE, TO PROHIBIT MISLEADING FILINGS, TO PROHIBIT MISREPRESENTATIONS REGARDING REGISTRATION OR EXEMPTION, TO PROVIDE FOR QUALIFIED IMMUNITY, TO SET FORTH CRIMINAL PENALTIES, TO PROVIDE FOR CIVIL LIABILITY, TO PROVIDE FOR RESCISSION OFFERS, TO PROVIDE FOR ADMINISTRATION OF THE CHAPTER, TO AUTHORIZE INVESTIGATIONS AND SUBPOENAS, TO PROVIDE FOR CIVIL AND ADMINISTRATIVE ENFORCEMENT, TO AUTHORIZE RULES, FORMS, ORDERS AND INTERPRETATIVE OPINIONS, TO CREATE A PRESUMPTION FOR PUBLIC HEARINGS, TO PROVIDE FOR THE MAINTENANCE OF ADMINISTRATIVE FILES AND OPINIONS, TO PROVIDE FOR A PRESUMPTION THAT CERTAIN RECORDS ARE PUBLIC RECORDS, TO PROVIDE FOR THE CONFIDENTIALITY OF CERTAIN RECORDS, TO PROVIDE FOR ADMINISTRATOR DISCRETION TO DISCLOSE CERTAIN RECORDS, TO PROVIDE FOR UNIFORMITY AND COOPERATION WITH OTHER AGENCIES, TO PROVIDE FOR JUDICIAL REVIEW OF FINAL ORDERS, TO SET FORTH JURISDICTION PROVISIONS, TO PROVIDE FOR SERVICE OF PROCESS, TO PROVIDE FOR SEVERABILITY, TO SET FORTH AN EFFECTIVE DATE, TO PROVIDE FOR REPEAL AND TO PROVIDE FOR APPLICATION TO EXISTING PROCEEDINGS AND EXISTING RIGHTS AND DUTIES; AMENDING CHAPTER 3, TITLE 9, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 9-340H, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS RELATED TO THE UNIFORM SECURITIES ACT ARE EXEMPT FROM PUBLIC DISCLOSURE; AMENDING SECTION 18-7803, IDAHO CODE, TO PROVIDE CORRECT CODE CITATIONS; AMENDING SECTION 39-1452, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-1004, IDAHO CODE, TO PROVIDE A CORRECT CODE CITATION; AMENDING SECTION 41-3821, IDAHO CODE, TO PROVIDE A CORRECT CODE CITATION; AND PROVIDING AN EFFECTIVE DATE.

S 1269, S 1270, S 1271, S 1272, S 1273, S 1274, S 1275, S 1276, and S 1277 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1229 and **S 1230** by Resources and Environment Committee, were read the second time at length and filed for third reading.

S 1207, S 1208, S 1209, and S 1221, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 11 a.m., Thursday, February 5, 2004.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary